



PEEL WATERSHED
PLANNING COMMISSION
TOGETHER FOR THE PEEL • CHUU TL'TI GEENJIT KHETOK

**Peel Watershed Planning Commission:
Meeting #8 Minutes**

October 13 - 15, 2006

YLUPC Boardroom, Whitehorse, Yukon

Meeting #8 October 13 - 15, 2006

In Attendance:

Peel Watershed Planning Commission

Albert Genier – Chair
Peter Kaye
Steve Taylor
Sam Wallingham
Marvin Frost
David Loeks

Support Staff

Brian Johnston – Senior Planner
Gerald Isaac - Facilitator
Ron Cruikshank – Director, YLUPC
Kathleen Zimmer – Office Administrator

YG Staff

Jim Bell, EMR

Welcome

Discussion Topic

- Meeting began at 7:00 PM
- Gerald Isaac provided welcoming remarks.

Action Item

Agenda Item #1: Review Agenda	
Discussion Topic	Action Item
<ul style="list-style-type: none"> Commission members reviewed agenda. <p>Motion #1: To accept the agenda with changes as outlined. Moved: 1st Sam Wallingham 2nd Steve Taylor All in Favour Passed by Consensus</p>	

Agenda Item #2: Minutes	
Discussion Topic	Action Item
<ul style="list-style-type: none"> Commission members reviewed minutes. Commission briefly discussed the status of the Gartner Lee Report. The report, with corrections, was included in Commission packages. The report will also be available on the internet shortly. <p>Motion #2: To accept Meeting # 7 Minutes (June 24 – 27, 2006) as presented. Moved: 1st Sam Wallingham 2nd Peter Kaye All in Favour Passed by Consensus</p>	

Agenda Item #3: Chair’s and Member’s Report	
Discussion Topic	Action Item
<p>3.1 Chairs Report</p> <p>3.2 Members Report</p> <ul style="list-style-type: none"> Dave commented that he had met a moose hunter who had recently gone up the Wind River Trail on an Argo. This shows how susceptible the planning region is to all-year access. Previously, this was a winter trail only. 	

Agenda Item #3: Chair’s and Member’s Report	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Steve told the Commission that at a recent Yukon Salmon Committee meeting, it was agreed that the Committee would contact the Commission to give a presentation. The name of the new executive director of Yukon Salmon Committee is Christine Cleghorn. • Peter would like to know the new date for a Ft McPherson meeting as soon as possible. • Sam informed the Commission that Cash Minerals would be spending \$15 million in exploration next year in the Bear Mountain strip. This would include 8 drills and a 70 man camp. The company has already gone through the YESAB process. 	

Agenda Item #4: Director’s Report	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Brian reviewed his report with Commission members and highlighted key points. • Dave asked if there was any follow-up/feedback from the First Nations meeting in August. Brian responded that the Tetlit Gwich’in Renewable Resource Council asked for another meeting for public engagement, and that the Canadian Parks & Wilderness Society may find the funding for the meeting. Brian reported that he had suggested to James Andre during a telephone conversation that there was not an urgent need for another meeting of the First Nations, since it was so soon after the Dawson First Nations Meeting. Brian had recommended to James that they wait to hold another meeting until the Commission had additional information for them to review; that there is a planning process in place that all of the parties can participate in. • Commission asked about follow-up/feedback from the TWG meeting that was attached to the First Nations meeting in August. Brian responded that a number of issues such as the work plan and schedule came up during discussions and the TWG members felt they should be referred to the Senior Liaison Committee (SLC). The hope is to have an SLC meeting in November. The Vuntut Gwitchin have appointed Hugh Monaghan as the SLC representative and the Tetlit Gwich’in appointment should be coming shortly. • The Commission enquired how the timeline was looking for data collection. Brian replied that the Commission still does not have access to the resources of John Ryder, who will play a very 	

Agenda Item #4: Director’s Report	
Discussion Topic	Action Item
<p>important part in the data collection. John has been concentrating on the North Yukon Planning Commission’s data collection and Resource Assessment Report.</p> <ul style="list-style-type: none"> • Brian reported that he met with Jim Bell and Michael White on September 12th to provide them with a briefing on the potential planning approach to addressing and identifying conservation priorities. Brian and John Ryder discussed the best strategy for addressing the technical assessment of conservation priorities. They felt that it would work best if there was a small group of technical advisors that could be called upon to assist the Commission with the development of the criteria for the conservation priority assessment. The recommended membership of that group is: Don Reid (Wildlife Conservation Society Canada), John Meikle (YTG), Cameron Eckert (YTG), Mark O’Donoghue (YTG), John Ryder and Brian Johnston. On September 28th, the advisory group (Mark O’Donoghue could not attend) met to discuss the strategy. Due to Don Reid’s abundant experience in this type of analysis, Brian asked him to coordinate the exercise. While the advisory group will provide technical knowledge and skills, the decision-making duties regarding the assessment process and the recommended zoning will obviously remain the responsibility of the Commission. We heard throughout the election that the parties and stakeholders feel that regional land use planning is the appropriate place to conduct the conservation values assessment. At Brian’s invitation, Don Reid will make a presentation to the Commission in day 2 of this meeting, highlighting some of the concepts of conservation planning. • Brian reviewed the staffing issues and related correspondence with the Commission. Shawn and Brian have put in considerable time and effort to make a case to expeditiously reclassify John and Richard’s position. The Commissions first request was in May 2006. This was met with a poor reception from Council and the issue to date is still unresolved. At the Chair’s meeting, the chairs agreed that this was a reasonable request from the Commissions. The Commission was expressed full support for the PWPC’s response letter. The Commission also feels that the development of a policy to address wage parity should be a priority as settlement is critical to the Commission’s next steps. All Commission members are in agreement to resolve the issue as recommended in PWPC responses. 	<ol style="list-style-type: none"> 1. Brian to keep Commission members up to date on this issue.

Agenda Item #5: Discussion of “Statement of Intent” (in camera)	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • The Commission reviewed and expressed full support for wording of the Statement of Intent and the accompanying definitions. • The statement of intent agreed upon by all Commission Members is as follows: <p>Preamble The Commission has heard from First Nations, Yukon Government, the private sector and the general public with respect to their interests, issues and vision for the Peel watershed. The Commission has drafted a <i>Statement of Intent</i> as an expression of the Commission’s guiding principles and vision for the Peel watershed, which will provide the foundation for the Commission’s recommendations for the management direction of the Peel watershed.</p> <p><u>STATEMENT OF INTENT</u> The goal of the Peel Watershed Regional Land Use Plan is to ensure wilderness* characteristics, wildlife and their habitats, cultural resources, and waters are maintained over time while managing resource use. These uses include, but are not limited to traditional use, trapping, recreation, outfitting, wilderness tourism, subsistence harvesting, and the exploration and development of non-renewable resources. Achieving this goal requires managing development at a pace and scale that maintains ecological integrity**. The long-term objective is to return all lands to their natural state as development activities are completed.</p> <p><i>* Wilderness is defined as: any area in a largely natural condition in which ecosystem processes are largely unaltered by human activity or in which human activity has been limited to developments or activities that do not significantly modify the environment, and includes an area restored to a largely natural condition. (Yukon Environment Act)</i></p> <p><i>** Ecological integrity is defined as: a concept that expresses the degree to which the physical, chemical, and biological components (including composition, structure, and process) of an ecosystem and their relationships are present, functioning, and capable of self-renewal. Ecological integrity implies the presence of appropriate species, populations and communities and the occurrence of ecological processes at appropriate rates and scales as well as the environmental conditions that support these taxa and processes. (U.S. National Park Service)</i></p> <p>Motion #3: To accept the Statement of Intent as presented above. The preamble to be used when context is</p>	<p>2. Brian to draft a press release and draft notes for chair for possible interviews and present to Commission at teleconference.</p>

Agenda Item #5: Discussion of “Statement of Intent” (in camera)	
Discussion Topic	Action Item
<p>required.</p> <p>Moved: 1st Dave Loeks 2nd Abby Genier All in Favour Passed by Consensus</p>	

Agenda Item #6: Draft Letter – Final Response on Issues Report	
Discussion Topic	Action Item
<ul style="list-style-type: none"> Brian reviewed the draft letter. Commission requested that Brian delete the “at your convenience”. <p>Motion #4: To accept the Final Response on Issues Report letter as presented with noted change.</p> <p>Moved: 1st Sam Wallingham 2nd Peter Kaye All in Favour Passed by Consensus</p>	

Agenda Item # 7 Approval of Annual Report 2005-06	
Discussion Topic	Action Item
<ul style="list-style-type: none"> Brian and Kathleen reviewed the Annual Report and attached financial statements. The financial statements were signed-off by YLUPC prior to the Commission viewing them. <p>Motion #5: To accept the 2005/2006 Annual Report as presented.</p> <p>Moved: 1st Sam Wallingham 2nd Dave Loeks All in Favour Passed by Consensus</p>	

Agenda Item #8: Approval of Interim Report	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Brian reviewed the Interim Report and Budget. He will make the case at the SLC meeting in November that this is the “compromise version” as far as time lines go. It was well received by the TWG, and Jim Bell and John Spicer were sympathetic. However, it will partly depend on the length of time it will take to get feedback from plan partners. Meeting the time lines is not always within the control of the Commission, since prompt review turn-around and data sharing are also the responsibility of the parties and stakeholders. • Ron commented that the work plan schedule is reviewed and recommended by Council, but ultimately decided by Commission and Governments. • Dave Loeks observed that the proposed adjustments to the work plan schedule is positive for future land use plans as it gives a more realistic idea of how much time is required for the development of a land use plan. • Albert Genier commented that considering the Commission was officially established in October 2005 but didn’t hire staff until April 2006, it is only reasonable that the time line is extended. • Peter Kaye explained that he was concerned about how to explain the time line to others. This is a very difficult concept for some people as they do not know the extensive amount of work and time that is required to do a land use plan. • Brian replied that it is a valid concern and suggested drafting a letter after talking with the SLC to explain the time line and what is involved. This would be a good letter for the TWG members to take to the parties. <p>Motion #6: To accept the 2006/2007 Interim Report as presented.</p> <p>Moved: 1st Sam Wallingham 2nd Dave Loeks All in Favour Passed by Consensus</p>	<p>3. Brian to draft letter to the parties, explaining the need for adjusting the work plan schedule.</p>

Agenda Item #9 PWPC Newsletter	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • The Commission congratulated Richard Vladars on the photographs and layout of the PWPC newsletter. • The Commission would like to insert the Statement of Intent with preamble into the newsletter. • The newsletters will be sent to over 100 stakeholders and will also be available on the website. 	

Agenda Item #10: YTG – Conflict of Interest Discussion (in camera)	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Prior to in camera discussion Gaye Hansen and Ron Cruikshank, the facilitators, provided handouts to members and explained the process for assessing conflict-of-interest. Once assessed, the Commission can create strategies to help manage conflicts that may arise. • It was suggested that an assessment of conflicts-of-interest should even be done prior to appointment of Commission members. • This is an assessment of apparent and potential conflicts-of-interest. • Assessments help to manage rather than avoid the situation and are proactive. 	<p>4. Ron and Brian to write out management strategies.</p>

Agenda Item #11: PWPC responsibilities regarding YESAB applications	
Discussion Topic	Action Item
<p>In response to the Commission’s request to YLUPC for an explanation of the PWPC’s role in the environmental assessment process, Ron explained the following:</p> <ul style="list-style-type: none"> • The Commission has “standing”. • The responsibilities of the Commission are different before and after plan creation. • Before plan: <ul style="list-style-type: none"> ○ The more knowledge that is gathered, the more the Commission can comment and share 	

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<p>knowledge.</p> <ul style="list-style-type: none"> ○ The Commission should comment on items that have regional implications. <ul style="list-style-type: none"> • After Plan: <ul style="list-style-type: none"> ○ YESAB will ask the Commission if a project conforms to the plan. ○ If the project does not conform, the Commission can make a representation to YESAB and attempts to get a project to conform. 	

Agenda Item #12: Legal Teeth of Regional Land Use Plans	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Ron reviewed the legal status of the plan: <ul style="list-style-type: none"> • Land use plans are just advisory. They have no legal teeth. • Decision bodies may decide to allow projects in a planning area that do not conform to a regional plan. The decision body does not give up legal authority. There is a formal review process in place for the land use plan if a decision body makes a decision that is not in conformity with the land use plan. The Commission may or may not want to adjust the plan reflect the change. • The exceptions are forestry plans and SMA's; these have to conform to the land use plan. 	

Agenda Item #13: Response Protocol and Approval Process/Bodies	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Brian reviewed the YLUPC recommended protocol with Commission. <ul style="list-style-type: none"> • As per YLUPC, the response time should be approximately 60 days for significant products. • This timeline should be talked about at TWG and SLC meetings and Brian will work to ensure that all designated contacts also know about the protocol. Providing information to SLC 	

Agenda Item #13: Response Protocol and Approval Process/Bodies	
Discussion Topic	Action Item
<p>members and TWG members should ensure a better flow of information.</p> <ul style="list-style-type: none"> • The Commission agreed that it is very important to keep all stakeholders informed. • Brian reviewed the approval process and bodies involved: <ul style="list-style-type: none"> • Yukon Government is the approval body for 99% of the land base. • First Nations are the approval body for the other 1% of the land base. • The Tet’lit Gwitchin have no approval status. However, the GTC sits on the Commission and Council of Yukon First Nations (CYFN) and can have input through them. • Vuntut Gwitchin government also has no approval status because they do not have private lands within the Peel planning region. • Only the Yukon Government, Tr’ondek Hwech’in Han (THH) and NND have approval status. 	<p>5. Brian to send a letter to First Nations outlining the approval process and bodies.</p>

Agenda Item #14: Preparation for SLC meeting	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Brian reviewed the preparation to date for the upcoming SLC meeting: <ul style="list-style-type: none"> • The GTC still has to appoint an SLC member. All other SLC members have been identified. • A number of issues came up at the TWG meeting that will be brought forward to the SLC meeting. The agenda will go to the TWG members first. • Some issues identified are the work plan schedule and budget. 	

Agenda Item #15: Data Collection Update	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Brian briefed the Commission on the following: <ul style="list-style-type: none"> a) Traditional knowledge (TK) has been gathered in Fort McPherson and will be reviewed 	

Agenda Item #15: Data Collection Update	
Discussion Topic	Action Item
<p>by the participants during the habitat suitability workshop. TK was also gathered at last year’s workshop in Dawson. The Commission is still waiting for the data results from the Tr’ondek Hwech’in Heritage Department. The Commission has also acquired some heritage data from NND and Mark O’Donoghue has been interviewing Mayo residents and outfitters to build the local knowledge dataset.</p> <ul style="list-style-type: none"> b) The mineral report has been reviewed and revisions made. It is posted on the website. c) The fisheries report is awaiting some minor revisions. The fisheries report has been peer reviewed. d) Richard Vladars has started the fisheries modeling. e) John will start the plant modeling as soon as possible. f) Pam Sinclair from CWS will build a map that represents the presence/absence of bird species in the Peel planning region. g) The biophysical map is complete. h) Habitat suitability workshops are planned for November/December. i) Presentation by Don Reid today. Questions and comments: <ul style="list-style-type: none"> ➤ What about fur bearing animals? There is lots of TK. ➤ What about global warming? There will be a provision for anticipated change in habitat. ➤ What about fire? ➤ Muskrat would be a good indicator species as their numbers have deteriorated dramatically in the Delta. ➤ Could be site specific. Still need a baseline. ➤ Where are the spawning areas? Biophysical modeling and TK should help identify spawning areas. ➤ Special features should include heritage values such as sheep snare at Goz Lake. That will happen in the heritage summary. To keep as another layer or incorporate with conservation knowledge? ➤ What about existing conservation areas? ➤ The role of the Conservation Assessment Technical Advisory Group is to advise 	

Agenda Item #15: Data Collection Update	
Discussion Topic	Action Item
<p>on what type of protected area, where, and what type of tools: HPA, SMA, or CMA. All options are open.</p> <ul style="list-style-type: none"> ➤ What about human activity? Good point but perhaps best included in a tourism plan. ➤ Need definition of protected. ➤ There is a strong correlation between wilderness values and PA’s. Some of these things don’t have to take large spatial areas. (Peregrine falcon nests). ➤ Wilderness can be restored. You can allow activities in CMA’s but it depends on the thresholds. ➤ Are hydrological stations still operating on the Snake, Wind, Bonnet Plume and Peel rivers? No only on the Peel. We will get the data. 	<p>6. Brian to get hydrological data.</p>

Agenda Item #16: Oil and Gas Best Management Practices (Kirstie Simpson presentation)	
Discussion Topic	Action Item
<ul style="list-style-type: none"> • Question and Comments: <ul style="list-style-type: none"> ○ Is there a recognized need for more data collection in the Peel region? ○ Yes, the Peel watershed report just came in and will be a workshop topic in the next couple of months. We will keep Brian informed. ○ We have identified lack of reuse but if it is close to a natural state they may use other technology. ○ Who monitors Best Management Practices (BMP)? ○ Industry already has many regulations: DFO, YESAB etc. BMP is only policy. Companies do not have to abide by policies however, if a BMP is in the application it becomes part of the permit which they have to abide by. ○ Out of the BMP exercise has come the following: provision of the same definitions across industry, data and collection protocols, and wildlife/ environmental monitors certificate 	

Agenda Item #16: Oil and Gas Best Management Practices (Kirstie Simpson presentation)	
Discussion Topic	Action Item
<p>available in the future at Yukon College.</p> <ul style="list-style-type: none"> ○ Stream crossing guidelines refers to all streams, not just salmon streams. ○ Do BMP’s have any real teeth? ○ The onus is on companies to prove they can meet management objectives. Companies will make economic choices however, they do self regulate and have vested interests. ○ Baseline data and monitoring are key but not all objectives are easily measurable. 	

Agenda Item #17: Results of Technical Working Group Meeting	
Discussion Topic	Action Item
<ul style="list-style-type: none"> ▪ Brian briefed Commission on the meeting. <ul style="list-style-type: none"> ○ We will be receiving Jim Bells notes. ○ The TWG pointed out a lot of issues that need to go to the SLC meeting. ○ There is a real need for a faster response time. ○ Capacity is a big issue. 	

Agenda Item #18: Northern Yukon Economic Development Partnership Agreement	
Discussion Topic	Action Item
<ul style="list-style-type: none"> ▪ Brian briefed Commission on the agreement: <ul style="list-style-type: none"> ○ There is a 100K wide corridor for economic development along the Dempster Highway. The designation is not legally binding. ○ The agreement identifies possible areas of joint development and opportunities. 	

Agenda Item #19: Correspondence	
Discussion Topic	Action Item
<ul style="list-style-type: none"> Brian reviewed the SMA letter and other highlights with the Commission. 	

Agenda Item #20: Financial Update	
Discussion Topic	Action Item
<ul style="list-style-type: none"> Kathleen reviewed the finances with the Commission. 	

Agenda Item #21: Next Steps	
Discussion Topic	Action Item
<ul style="list-style-type: none"> Conference call after the SLC meeting – end of November. 	

Meeting adjourned at 4.35 pm		
Approval of Peel Watershed Planning Commission Meeting # 8 Minutes (October 13-15, 2006 Whitehorse, Yukon)		
_____	_____	_____
Chair	Senior Planner	Date